United Nations A/59/2005/Add.3

General Assembly

Distr.: General
26 May 2005

Original: English

Fifty-ninth session
Agenda items 45 and 55

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Follow-up to the outcome of the Millennium Summit

In larger freedom: towards development, security and human rights for all

Report of the Secretary-General

Addendum

Letter dated 26 May 2005 from the Secretary-General to the President of the General Assembly

I have the honour to transmit the plan of action submitted by the United Nations High Commissioner for Human Rights (see annex), as called for in my report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005).

I welcome the many expressions of support by Member States in the course of General Assembly discussions for strengthening the United Nations human rights machinery, particularly the Office of the High Commissioner. You will find that the plan is a strong and comprehensive analysis of what it will take for the High Commissioner to meet the challenges that the international community and the United Nations face in the area of human rights.

I should be grateful if the document could be brought to the attention of the members of the General Assembly.

(*Signed*) Kofi A. **Annan**

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Annex

Plan of action submitted by the United Nations High Commissioner for Human Rights

Summary

> "*We will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights.*" (see A/59/2005, para. 17)

The present plan of action, which was called for by the Secretary-General in his report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), presents a strategic vision for the future direction of the Office of the United Nations High Commissioner for Human Rights (OHCHR). It builds on his assertion, shared by many, that much more needs to be done by the international community to address today's threats to human rights and that OHCHR must be considerably better resourced to play its central role in meeting this challenge.

The plan is anchored in the mandate given to the High Commissioner to promote and protect the effective enjoyment by all of all human rights and it seeks, in particular, to remedy longstanding shortcomings in the mandated task to "... play an active role in removing the current obstacles and in meeting the challenges to the full realization of all human rights and in preventing the continuation of human rights violations throughout the world ..." (see General Assembly resolution 48/141, para. 4 (f)).

The historic legacy of the United Nations human rights programme is found especially in the wide-ranging body of human rights norms and standards produced in the past 60 years. But putting new resources and capacities to work in response to the human rights problems posed today by poverty, discrimination, conflict, impunity, democratic deficits and institutional weaknesses will necessitate a heightened focus on implementation.

Thus, the present plan envisages attention to a range of "implementation gaps" on the ground, including those related to knowledge, capacity, commitment and security. Helping to close those gaps and thereby protecting people and helping to empower them to realize their rights must be seen as the essential mission of the United Nations human rights office.

To these ends, the plan sets forth action points in five areas:

(a) Greater country engagement through an expansion of geographic desks, increased deployment of human rights staff to countries and regions, the establishment of standing capacities for rapid deployment, investigations, field support, human rights capacity-building, advice and assistance, and work on transitional justice and the rule of law;

(b) An enhanced human rights leadership role for the High Commissioner, including through greater interaction with relevant United Nations bodies and actors and regular system-wide human rights consultations, a reinforced New York presence, an annual thematic human rights report, a global campaign for human rights and more involvement in efforts to advance poverty reduction and the Millennium Development Goals;

(c) Closer partnerships with civil society and United Nations agencies through the establishment of a civil society support function, support for human rights defenders, stepped up commitment to action two activities for rights-based approaches and national protection systems and human rights guidance to the resident coordinator system;

(d) More synergy in the relationship between OHCHR and the various United Nations human rights bodies, an intergovernmental meeting to consider options for a unified standing human rights treaty body, including consideration of the possible relocation of the Committee on the Elimination of Discrimination against Women to Geneva and a review of the special procedures;

(e) Strengthened management and planning for OHCHR through the establishment of a policy and planning unit, significantly increased staffing levels, staff diversity initiatives, updated staff training, a staff field rotation policy and new administrative procedures.

While the present plan of action focuses on the work of OHCHR, it is written against a backdrop of discussion on the future of the Commission on Human Rights, in the context of the Secretary-General's call for the Commission to be replaced by an upgraded Human Rights Council. OHCHR strongly supports the proposal that country scrutiny be exercised through an effective, fair and transparent system of peer review that should be built on the principle of universal scrutiny. OHCHR stands ready to contribute to discussions as to how best this might be achieved.

The present plan carries with it considerable consequences — strategic, operational and material. Consolidated action points are provided in section V for ease of reference.

The implementation of aspects of the plan can begin in the coming months through more effective prioritization of existing resources and improved planning and policy development so that all components of OHCHR can better work towards bridging implementation gaps, at the country-level, in a coordinated and sustained manner.

However, to be implemented in full the plan requires that OHCHR receive considerably more resources, otherwise it will remain merely aspirational. At present, the human rights programme receives only 1.8 per cent of the United Nations budget. The bulk of OHCHR resources, including for key activities requested by United Nations bodies, are therefore in the form of extrabudgetary contributions. The total annual budget of OHCHR is $86.4 million. We estimate that in order to address the shortcomings identified in the Secretary-General's report and make a serious effort to step up the work of the Office along the lines suggested in the present plan of action, OHCHR will need to double its overall resources over the next five to six years.

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"*... the system for protecting human rights at the international level is today under considerable strain. Change is needed if the United Nations is to sustain long-term, high-level engagement on human rights issues, across the range of the Organization's work ... human rights must be incorporated into decision-making and discussion throughout the work of the Organization ... [OHCHR] remains woefully ill-equipped to respond to the broad range of human rights challenges facing the international community. Member States' proclaimed commitment to human rights must be matched by resources to strengthen the Office's ability to discharge its vital mandate.*" (see A/59/2005, paras. 141, 144 and 145)

I. Introduction

1. The centrality of human rights to the broader mission of the United Nations is beyond doubt. The report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005) reaffirms the importance of human rights as one of the three principal goals of the United Nations, alongside development and security, and reminds us that the protection of human rights is essential to building a more secure and prosperous world. And yet, while the United Nations human rights programme has made historic progress over the past 60 years, its political body is today in difficulty, its monitoring role weak and the Office of the United Nations High Commissioner for Human Rights (OHCHR) chronically underresourced and ill equipped. In an organization pledged to promote and protect human rights, this is a call to action. In a world plagued by daily assaults on dignity and freedom, it is a call to conscience.

2. The present plan of action builds on the progress achieved in the field of human rights over the past six decades, and charts a course to strengthen OHCHR so that it will be better positioned to respond to today's human rights imperatives. It begins with the recognition that, globally, the implementation of human rights lags far behind their articulation. Our objective must be to help bridge the gap between the lofty rhetoric of human rights in the halls of the United Nations and the sobering realities on the ground. The plan of action calls for strengthening the profile and capacities of OHCHR, adopting new approaches, improving its planning and management and significantly expanding its resources.

3. The High Commissioner's human rights mandate, universally agreed by Member States, is comprehensive, including the responsibility to promote and protect all human rights for all. The High Commissioner is tasked with supporting the work of the human rights mechanisms and is assigned principal responsibility for human rights issues across the United Nations system. To meet these obligations, OHCHR employs some 580 staff, of whom 310 are deployed at its headquarters and the rest in some 17 country offices and seven regional and subregional offices. The total budget of the Office in 2004 was $86.4 million, of which $52.6 million came from voluntary contributions and the remaining $33.8 from the United Nations regular budget.

Box 1
Mandate of the Office of the United Nations High Commissioner for Human Rights

The United Nations High Commissioner for Human Rights is mandated by General Assembly resolution 48/141 to be the United Nations official with "principal responsibility" for United Nations human rights activities, with the mandate:

- To promote and protect all human rights for all
- To make recommendations to the competent bodies of the United Nations system for improving promotion and protection of all human rights
- To promote and protect the right to development
- To provide technical assistance for human rights
- To coordinate United Nations human rights education and public information programmes
- To play an active role in removing obstacles to the realization of human rights
- To play an active role in preventing the continuation of human rights violations
- To engage in dialogue with Governments with a view to securing respect for all human rights
- To enhance international cooperation
- To coordinate human rights promotion and protection activities throughout the United Nations system
- To rationalize, adapt, strengthen and streamline the United Nations human rights machinery

4. OHCHR works closely with the other parts of the United Nations human rights programme, in a multifaceted system with a mix of complementary roles and capacities. But this system suffers from significant shortcomings and disadvantages. OHCHR lacks adequate resources and operational capacities, has an insufficient presence outside of Geneva and faces ever-increasing, uncoordinated (and usually unfunded) demands from the Commission on Human Rights, the General Assembly and other United Nations organs and offices. For its part, the Commission has been accused of selectivity, double standards, politicization and obstructive regional divisions. Enforcement mechanisms are weak, further undercutting the credibility and effectiveness of the system. The treaty system has grown unwieldy. While the present plan of action focuses on OHCHR, the overall goal must be to strengthen all aspects of the United Nations human rights programme, the various components of which are interdependent. Credibility or resource deficiencies arising in one part of the programme inevitably affect the whole.

Box 2
United Nations human rights programme

The main elements of the United Nations human rights programme include:

- Office of the United Nations High Commissioner for Human Rights
- Commission on Human Rights
- Special procedures of the Commission
- Subcommission on the Promotion and Protection of Human Rights
- Human rights treaty bodies
- Programme of technical cooperation in the field of human rights
- Support funds (victims of torture, indigenous populations, slavery, racism)

5. The present plan of action outlines the goals we want to achieve, the main strategies we will pursue to achieve them, the various tools we will employ and the changes and resources we will need for its implementation. Its success, in large measure, will depend upon a shared sense of purpose and commitment among Member States and other partners, without which our human rights goals will remain mere aspirations. While the proposals contained in the plan of action are measured, they are not modest. And given the human rights challenges that they are designed to address, that is as it must be.

II. The challenges

6. Although basic human rights principles enjoy universal agreement, the gap between rhetoric and reality is wide indeed. Put simply, the challenge is to close that gap. The daily litany of human suffering and inhumanity is all too familiar, with human rights denied and violated in many and varied ways. The present plan of action aims to strengthen the contribution of OHCHR to efforts to change that reality.

7. In his above-mentioned report, the Secretary-General convincingly set out the task ahead, namely to build a safer, more prosperous world by tackling the related problems of underdevelopment and insecurity. In his words, humanity will not enjoy development without security, will not enjoy security without development and will not enjoy either without respect for human rights (see A/59/2005, para. 17).

8. What prevents us from closing the gap between human rights rhetoric and reality? The challenges in this regard are formidable, and can usefully be broken into two categories:

(a) Human rights challenges, arising from general situations, patterns or contexts that contribute to abuse;

(b) Implementation challenges, posing more concrete obstacles to the protection of human rights.

9. We need to understand each challenge in turn, and their interrelationship, in order to propose an effective response.

A. Human rights challenges

1. Poverty and global inequities

10. Poverty is the gravest human rights challenge in the world. Whether measured against the number of people affected (over 1 billion), or in its cumulative effect across a range of human rights, the impact of poverty far surpasses other scourges. The gap between rich and poor countries, and the global inequities it points to, seriously challenge our commitment to the universality of human rights. In human rights terms, poverty is both a symptom and a cause: continuing severe deprivation is a sign that those affected are living in a state of indignity, and thus denial of rights, and the poor and marginalized are deprived, above all, of the capacity to claim their rights. A marked characteristic of virtually all communities living in extreme poverty is that they do not have access, on equal terms, to the institutions and services of Government that give effect to human rights. This inequality of access, in particular to justice, is often linked to discrimination on other grounds. Although commonly seen as an issue of economic and social rights, the experience of the poor is as likely to be marked by repression as by economic deprivation and indeed the two are interlinked.

11. Any global human rights agenda must give prominence, indeed priority, to the poor and to the problem of poverty. The above-mentioned report of the Secretary-General includes a specific challenge to human rights actors to contribute more effectively to efforts to eradicate poverty. This must be done by promoting rights-sensitive understandings of poverty, the application of rights-based approaches to development, and the advancement of the right to development at the national and international levels.

2. Discrimination

12. The term "discrimination" is certainly an inadequate means of describing the vast range of inequalities and indignities that are suffered by persons who are seen as less able and less deserving by those wielding power, by reason of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Guarantees of non-discrimination figure prominently in every international human rights standard because ideas of inferiority, inequality or unwarranted distinctions between individuals are anathema to the notion of a common humanity, which is the moral basis for these standards.

13. Laws in some countries, and practice in many, in all regions of the world, still permit or tolerate discrimination, not least against women and girls. Indeed, gender discrimination remains one of the most widespread human rights violations. Racial discrimination too, is ever present, despite the attention the United Nations has been paying to the issue for many decades, and in some regions may even be growing, perhaps linked to patterns of migration.

14. Even where legislation is adequate, ingrained social and cultural prejudice or tradition, intolerance and xenophobia combine to thwart integration and equality

initiatives. Especially worrying is a growing sense of global polarization along lines of religion or region, even as global economic and political integration proceeds.

3. Armed conflict and violence

15. Many of the world's worst human rights abuses occur in the context of armed conflict. Massacres and targeted or indiscriminate killing of civilians, forced displacement, rape, disappearances, mass detentions, expulsions and destruction of civilian property — these abuses are most prevalent in war or in situations of armed political violence.

16. The protection of human rights must be at the core of policies to address conflict. Many international actors still view human rights as relevant only when conflict ends. This is the sequencing fallacy, the belief that efforts to address immediate humanitarian needs and to end the conflict are at odds with efforts to protect human rights. In fact, the protection of human rights is relevant at all stages of conflict. Patterns of human rights abuse are a key precursor of violent conflict, and when they are tackled effectively they can halt escalation. In the midst of conflict, efforts to protect human rights are essential to save lives and may have a pacifying impact on the conflict itself. Peace agreements that fail to address human rights are unlikely to last and insecurity in post-conflict environments undermines confidence in the peace process.

17. The overwhelming majority of conflicts are internal wars, taking place between a Government and insurgent forces or in any case involving armed groups. In many countries, such groups are responsible for grave human rights abuses. At the same time, international armed conflicts and foreign occupation persist and also raise serious human rights concerns. At both the national and international levels, terrorism poses a profound threat to human rights. At the same time, some methods States use to suppress armed groups and terrorism also raise human rights concerns.

4. Impunity

18. Laws that are consistently breached without consequences are unlikely to be respected. This, regrettably, is the case with many international human rights provisions at the national level. Where cases of torture go unpunished, where general amnesty laws allow perpetrators to go free, where "investigations" of excessive use of force drag on without result, where court orders demanding redress for victims of discrimination are not enforced and where economic and social rights cannot be defended in court, human rights law loses its credibility. Though we have made some progress in addressing the worst crimes through new standards and international criminal prosecutions, much remains to be done at the national level to enforce basic human rights guarantees, not least by establishing and defending judicial independence.

5. Democracy deficits

19. The above-mentioned report of the Secretary-General emphasizes the centrality of democracy to the task of building a more secure and prosperous world. And yet even States that practise torture, summary executions and official discrimination claim to be democratic. Human rights standards must underpin any meaningful conception of democracy, so that physical integrity is protected and freedoms of participation, elections, assembly, association, opinion, expression and

information are guaranteed. True democracies allow dissent and opposition and safeguard the rights, interests and "voice" of minorities, women and vulnerable, disadvantaged and marginalized groups. Where these freedoms are denied, real democracy is absent. Giving effect to democratic principles necessitates the peaceful transition of power, an active and vibrant civil society, human rights defenders, free and responsible media, and effective judicial and independent oversight mechanisms. It also requires the building of strong laws and institutions of democratic governance, including parliaments.

6. Weak institutions

20. We could go some way towards improving respect for human rights if, to quote the Universal Declaration of Human Rights, people would "act towards one another in a spirit of brotherhood" (see General Assembly resolution 217 A (III), article 1). The protection of human rights requires more, however, and ultimately depends on effective institutions, primarily in government. Courts, police, tribunals, parliaments, national human rights commissions, oversight and inspection bodies and many others all provide the means through which human rights guarantees can be enforced. In many cases, these institutions, especially in the justice and security sectors, are weak, inefficient or corrupt — and too often, a combination of all three.

21. These six challenges are, of course, interrelated. The poor as a group are discriminated against wherever they are found, including in affluent countries. Impunity may arise by design, as an official policy, or by default, when inefficient justice systems prove inadequate to provide redress for individuals. Democracy is undermined by poverty, discrimination and weak institutions. In countries in conflict, it is difficult to establish strong and fair justice systems. Terrorism creates public tolerance for discriminatory repression; aggressive counter-terrorism often seeks to circumvent (and therefore undermine) judicial guarantees.

B. The implementation challenge: closing the gap

22. Member States have entrusted the High Commissioner with the task of promoting and protecting the effective enjoyment of human rights. The Universal Declaration of Human Rights imposes obligations on all Member States, and all of them have made specific commitments under one or more of the United Nations human rights treaties. It is also clear that the primary responsibility for implementing human rights lies with Governments. It is through action at the national level that international human rights obligations can be translated into reality.

23. What, therefore, are the gaps at the national level that stand in the way of implementation? OHCHR experience suggests that in grappling with implementation, four distinct gaps need to be addressed, as described below.

1. The knowledge gap

24. To turn the obligations to respect, protect and fulfil human rights into reality requires an understanding of the best way to do so through law and policy. Of course, political will is crucial. There will be different options for addressing many human rights problems, and the authorities may need an appreciation of those options and informed analysis of which combination of law, regulation and policy is

best suited in their circumstances to address the problem. Even when a way forward seems clear, decision makers will benefit from comparative experience and lessons learned elsewhere.

25. There is a good deal of knowledge available, including United Nations material, to assist Governments and other actors at the national level, but there are also gaps. A greater attention must be paid to the knowledge gap. OHCHR must find ways to fill it and work with others to do so.

2. The capacity gap

26. Even where the course of action is clear, it will not materialize if there are significant capacity gaps — a lack of human, financial or other resources. Each country, whatever its material situation, can take numerous steps to respect and protect human rights. The full implementation of human rights, however, requires significant resources, and less developed countries will face difficulties, not least as regards strengthening national institutions, such as courts. Implementing rights also requires trained and expert personnel, as well as specialized government departments.

27. OHCHR can play a greater role in advocating for greater international cooperation. It can also assist Governments in identifying their capacity needs and, through its technical cooperation programme, help to build capacity to address human rights problems.

3. The commitment gap

28. No amount of policy analysis or marshalling of resources will suffice where Governments lack the commitment to reform or to redress a pattern of abuse. Commitment gaps are of two types: where a Government remains determined to pursue a course of action that infringes its international human rights obligations, or where a Government admits the infringement but fails to make the effort to implement needed reforms. Commitment gaps also arise at the international level, where Governments pursue policies that contribute to human rights abuses in other countries.

29. Whatever the specific problem — inertia, apathy or hostility to the human rights prescription itself — the clear task of the United Nations is to remind Governments of their obligations and, through an appropriate combination of dialogue, assistance and advocacy, to assist them in realizing the required reform. The primary responsibility in this regard lies with the supervisory bodies established by Member States. The High Commissioner is also tasked with entering into dialogue with Governments and suggesting ways of overcoming obstacles to the realization of human rights.

4. The security gap

30. A fourth gap arises not from ignorance, incapacity or indifference but rather in situations where Governments or armed group leaders deliberately pursue policies directly threatening personal security through repression, intimidation and violence, ordering, condoning or tolerating political killings, massacres, disappearances, wilful destruction of civilian property, denial of essential medical and foodstuffs, torture, forced displacement and famine, or systematically depriving targeted

minority groups of their rights. In such situations, most often linked to armed conflict, violations of human rights reach the state of acute crisis and call for a commensurate protective response.

31. The Secretary-General has made specific proposals regarding Security Council action to prevent genocide and crimes against humanity. Short of the use of armed force to protect individuals in these and situations of lesser gravity, much can and should be done to enhance protection, including through the deployment of human rights officers. OHCHR can play an important role in this regard.

32. Of course, these gaps are not exclusive. In most countries, obstacles to implementation combine some element of at least the first three gaps. To tackle these issues and the challenges outlined above, we must be bold, even as we choose tailored responses that address implementation gaps in ways that ensure that all relevant actors — Governments, United Nations human rights bodies, and the High Commissioner — fulfil their responsibilities.

III. The response

A. Goals and strategies: overview

33. Our collective task is to find the means to turn international human rights commitments into reality, so that individual people and communities see a real difference in their lives. The challenges are many, and continue to defeat the best efforts of a whole range of national and international actors. To do its part to tackle them, OHCHR will pursue two overarching goals — protection and empowerment.

1. Protection

34. We will undertake a concerted effort to focus on the protection of human rights, defined as ensuring respect for human rights in concrete ways for individuals. Human rights protection is not a specific tool or approach but rather refers to a desired outcome — where rights are acknowledged, respected and fulfilled by those under a duty to do so, and as a result of which dignity and freedom is enhanced. Human rights protection results when, through specific actions, individuals who otherwise would be at risk or subject to deprivation of their rights, are able to fully exercise them. It is based on international law, and necessarily focuses on both immediate responses where people are threatened, and on longer-term work to build and strengthen laws and institutions that protect rights — within States and at the global level. Protection understood in terms of concrete outcomes for individuals ensures that the work carried out by OHCHR is targeted at achieving real impact.

35. The High Commissioner's mandate includes the responsibility to protect the effective enjoyment by all of all human rights, and to coordinate human rights protection activities in the United Nations system.

2. Empowerment

36. Empowerment is a broad concept, but I use it in two distinct senses. Experience from many countries teaches us that human rights are most readily

respected, protected and fulfilled when people are empowered to assert and claim their rights. Our work, therefore, should empower rights holders.

37. In addition, successful strategies to protect human rights depend on a favourable government response to claims that are advanced. Empowerment is also about equipping those with a responsibility to implement human rights with the means to do so.

38. Taken together, both senses of empowerment remind us that the pursuit of the full enjoyment of human rights is best achieved through local initiative and response. The role of international actors is to support and encourage national reform initiatives.

39. These two goals of protection and empowerment will be pursued through three key strategies: engagement with countries to address the implementation challenge; exercising leadership to proactively identify problems and propose solutions; and building partnerships inside and outside the United Nations. Each of these strategies is introduced in paragraphs 40-44 below, and then more fully elaborated, with concrete programmes, in paragraphs 45-114 below.

3. Engaging countries

40. It is mainly through action at the national level that international human rights obligations can be translated into reality. Responsibilities falling on OHCHR and other actors are secondary to the primary role of the State. Implementation, therefore, requires first and foremost working with Governments. To do this, OHCHR will actively engage in dialogue with them, a task specifically spelled out in the High Commissioner's mandate. The purpose of this dialogue and engagement will be to analyse the obstacles standing in the way of implementation and work towards overcoming them. This engagement will draw on the resources of the whole United Nations human rights programme.

4. Exercising leadership

41. In addition to being assigned the principal responsibility for human rights issues in the United Nations system, the High Commissioner is called on to be active in meeting human rights challenges and preventing human rights violations. Both imply that the High Commissioner should exercise leadership on human rights issues, taking the initiative where necessary, drawing attention to human rights problems, and developing responses and mobilizing Governments, civil society and all concerned in support. The authoritative pronouncements and recommendations of United Nations human rights bodies will form a significant basis for the High Commissioner's own action.

42. Exercising greater leadership within the United Nations system, backed up by increased capacity in key areas, will also assist OHCHR in fulfilling its coordination function and promoting system-wide coherence.

5. Building partnerships

43. OHCHR is only one actor, and the challenges, as noted, are considerable. To address the implementation challenge we must, in addition to working closely with Governments, build on and establish other partnerships both inside and outside the United Nations system. Increasingly, OHCHR has cooperated in a more active way

with United Nations human rights bodies in a joint effort to find ways of working more effectively. The efforts of OHCHR, the treaty bodies, the Commission on Human Rights and special procedures will be more effective if all are strengthened and working more closely together.

44. In addition, OHCHR needs to continue to build on existing partnerships with United Nations agencies and programmes. A greater engagement with countries will allow us to provide more effective input to coordination structures and better advice and support to United Nations country teams. OHCHR will also need to build and strengthen partnerships with civil society.

B. Dialogue and engagement with countries

45. In order to identify and work to close implementation gaps, OHCHR must engage in a much more concerted manner with Governments and others involved in national efforts to protect human rights.

46. To draw on the combined expertise, advice and recommendations of the United Nations human rights system to address these gaps will require an increase in country-focused staff and expertise, an increase in operational deployment at the country and regional levels, and better integration among all relevant parts of OHCHR. At present, we have insufficient capacity at headquarters and in the field to pursue a sufficient programme of country engagement.

47. Country engagement will differ from case to case. OHCHR has a range of tools at its disposal, including the good offices of the High Commissioner, technical cooperation projects and policy advice, cooperation with Governments through the process of reporting to treaty bodies and follow-up to their recommendations, follow-up to recommendations and reports of special procedures, regional and country presence, monitoring and public reporting. It can use these and other tools not only in direct engagements with the Government but also in cooperation with other actors, including national human rights institutions, the United Nations country team and/or other development actors and civil society. The choice of activities and priority audiences for engagement will depend on a strategic assessment of what is needed in each case, in close consultation with the Government.

48. It is worth stressing that the range of tools and approaches, including the treaty bodies and special procedures, all form part of one broad United Nations human rights programme, with advice, assistance, dialogue, supervision and accountability components, all of which should be mutually reinforcing.

49. OHCHR will approach this task in an impartial manner, in line with the High Commissioner's mandate to engage in dialogue with all countries in regard to all human rights. Every country could improve its human rights record, whether for its policies at home or abroad, and it is in this spirit that the High Commissioner proposes to step up country engagement, including through her personal involvement.

50. The main focus of OHCHR activities will be to work towards the implementation of rights at the country level. All of the Office's functions will be better used to support dialogue and engagement with countries. This will be a team effort, requiring collaboration among the different branches of the Office. A crucial

part of this team effort will be expert geographic and country desks at headquarters. **Currently, less than 40 staff are assigned on this basis, and an emphasis on country engagement requires a considerable investment of new resources.**

1. Operational deployment in countries and regions

51. Expanded in-country and regional presence will give OHCHR its greatest potential impact, building institutional credibility and trust and creating stronger relationships with Government and civil society. Being present in different regions and countries, with staff having the requisite expertise, local knowledge and languages, is the preferred means to undertake any number of United Nations activities. This is equally true for human rights work.

52. Identifying knowledge and capacity gaps requires close analysis of the situation in a country, and closing commitment gaps requires working with the Government and other actors at the national level. Serious security gaps, especially in conflict situations, will often require deployment of human rights officers. Experience in both peace operations and human rights missions has shown the protective impact of a monitoring presence. Finally, a stronger presence in countries and regions will enhance the usefulness of the treaty bodies since OHCHR can better encourage and assist greater engagement in the reporting process and facilitate in-country follow-through on recommendations of the treaty bodies and special procedures. While OHCHR currently maintains a presence, including an office, in some 24 countries (including seven small regional and subregional offices), most of these are not substantial teams. **OHCHR staff need to be more present on the ground and in a sustained manner.**

53. **There are different ways to build OHCHR field presences, each discussed below. The clear intention of OHCHR is to increase its field presences in order to increase support for them and to focus their activities on the objectives set out in the present plan of action.** The precise configuration needs further consideration. This is now under way, and will include a review of all current OHCHR field presences.

In-country OHCHR presence

54. Most often, the best means of engaging countries is through an OHCHR presence in the country. This could range from medium-sized or large stand-alone missions and integrated human rights components of peace operations to smaller technical cooperation projects and advisers working within country teams. We have seen some of the clearest effective results in our stand-alone missions.

55. Country offices work most effectively when they are large enough and have sufficiently qualified staff to implement complex human rights strategies. Establishment of in-country presences will take place, of course, with the consent of the Government. Decisions should also take into account the seriousness of the human rights situation, the potential for our presence to influence the situation, our ability to operate with a broad mandate and the openness of Governments and other actors to work with us to improve the human rights situation. Each presence will have a different combination of activities tailored to the evolving situation and drawing on the full range of tools to address implementation gaps.

Regional and subregional offices

56. If properly resourced and supported, regional and subregional OHCHR offices can also effectively support country engagement strategies. These offices can pursue high-level dialogues with Governments and regional intergovernmental organizations and build links with regional civil society networks. They can also usefully support human rights advisers attached to United Nations country teams in the area, undertake needs assessment missions for potential technical cooperation projects and provide early warning of developing protection gaps in a region. By being present in and knowledgeable of the region, they can better tailor approaches to local needs.

57. At present, fewer than 20 OHCHR staff are deployed in regional and subregional offices. Expanding this presence will support increased in-country presences and will greatly improve our engagement with countries where we have no direct presence.

Human rights components in United Nations peace operations

58. In situations where the United Nations deploys peace operations, OHCHR has been primarily working in designing, assisting in establishing and recruiting staff for the human rights components of peace operations. We have also provided guidance and made our expertise available, although not as systematically as required. We intend to find ways to make such involvement more effective.

59. Effective operational capacity will depend on putting in place an adequate administrative structure that would provide the personnel, financing, logistical and security support necessary for the timely, safe and efficient deployment of staff and the effective functioning of field presences. OHCHR needs to strengthen capacity in this area.

2. Rapid response, fact-finding and investigation

60. Objective and impartial monitoring and fact-finding is needed to assess complaints that State practice is falling short of human rights obligations. The treaty bodies and special procedures play an important role, but OHCHR is also assigned responsibilities to monitor and report on human rights developments, in particular when it deploys a large in-country presence. Reports from OHCHR may provide useful information for Member States and United Nations bodies and ensure that human rights concerns are properly taken into account in their decisions.

61. The above-mentioned report of the Secretary-General points to the value of deploying human rights officers to crisis situations, and OHCHR stands ready to do so. This requires organizing OHCHR in a manner to support rapid deployment and ensuring administrative back-up in specific areas, including financing and personnel. Roster systems, training and security issues need to be addressed, but with additional resources OHCHR could significantly increase its capacity in this area.

62. OHCHR is also increasingly required to provide support and legal expertise in situations of crisis or post-conflict for commissions of inquiry or fact-finding missions investigating serious and widespread human rights abuses. On average, in the past several years OHCHR has supported two or three such commissions or investigations per year and the trend is towards an increase. Such assignments must

be carried out diligently and thoroughly and may also include a need for expert skills such as forensic investigations. Support for such work is crucial, and developing OHCHR capacity in this area is a priority.

3. Capacity-building for human rights

63. The technical cooperation programme of OHCHR has been active for many years, and our experience has demonstrated the value and importance of this work. Such engagement is an effective means for overcoming knowledge, capacity and commitment gaps. Technical cooperation projects should not be seen or used in isolation but as part of an overall country engagement strategy. As the Secretary-General noted in his above-mentioned report, "technical assistance and long-term institution-building are of little or no value where the basic principle of protection is being actively violated" (see A/59/2005, para. 143). Meaningful technical cooperation requires an ongoing assessment of the situation to measure its impact.

64. Experience has shown us that our assistance projects are most effective when we are present in the country with sufficient staff and where the project forms part of a strategy of long-term engagement agreed upon by the Government, involving a full programme of OHCHR work. Working with a range of national actors, including in civil society, helps to ensure the sustainability and accountability of our projects.

65. A welcome development is the increasing involvement of various organizations, including United Nations actors, in providing assistance for human rights reform. It also highlights the need, however, for better coordination to ensure coherence among the various assistance efforts, failing which we risk making the situation worse. In working closely with United Nations agencies and donors, OHCHR can act as a catalyst for needed reforms, including by sharing our independent needs assessments.

66. Since the OHCHR budget in this area is modest, prioritization is essential. In regard to areas of substantive focus, the close link between OHCHR and the treaty bodies and special procedures brings added value in diagnosing and addressing implementation gaps. Although prioritization will ensure effective use of existing resources, it is clear that that the current level is still seriously inadequate.

4. Thematic expertise

67. Developing and strengthening our substantive human rights expertise is key to supporting effective country engagement, as well as to action at the global level. OHCHR has developed important expertise on a wide range of human rights issues and methods in the context of its operational activities and work with human rights mechanisms. In order to meet growing needs and demands and to realize our strategies, we will both consolidate and strengthen existing expertise and develop capacities in additional areas, where required, to better meet current human rights challenges.

68. Areas of focus include:

(a) Human rights law, policy and institutions (interpretation and application of international norms; justiciability of economic and social rights; national human rights commissions; national human rights planning; civil society);

(b) Human rights methodologies (monitoring; investigations; education; training; needs assessments; programming);

- Anti-discrimination and special groups (such as discrimination on grounds of race or religion or minorities, indigenous peoples, migrants, internally displaced persons, persons with disabilities and women)
- Rule of law and democracy (justice sector; transitional justice; impunity; remedies)
- Human rights-based approaches to various issues (peace and security, including anti-terrorism initiatives; development; humanitarian work).

69. Strengthened expertise in these areas will be brought to bear to overcome implementation gaps and will provide the basis for OHCHR to work on technical cooperation, advocacy, training, policy development, analysis and advice to partners. It will facilitate the development of methodology for human rights work and the identification of good practices. Such expertise will also draw on and contribute to the work of the special procedures and treaty bodies.

70. Priority areas will be reviewed periodically to ensure that OHCHR is equipped to address emerging human rights challenges. The policy and planning unit being established, as described below, will assist us in priority-setting.

5. Research and policy analysis

71. OHCHR and many others involved in human rights activities have invested the majority of their research efforts in cataloguing and describing human rights problems rather than in proposing human rights solutions, and too little attention has been given to identifying trends that will in future impact on human rights. Substantial existing research capacity in OHCHR is devoted to preparing studies and reports for United Nations human rights bodies, many of which by their nature are of little practical value or in any case are not always put to good use.

72. The research capacity of the Office will be strengthened and it will increasingly rely on its own initiative to identify priority human rights issues for analysis. The aim will be to bring forward practical suggestions for addressing the knowledge gap and other human rights problems. One way to do so is through releasing existing research capacity. The discussion on a new Human Rights Council or a reformed Commission on Human Rights provides an excellent opportunity to rationalize the studies, reports and notes that OHCHR is asked to produce. The High Commissioner will undertake an inventory, with suggestions, in this regard.

73. In stepping up work in this area, we will rely on close collaboration with the many and diverse academic and research institutions worldwide, including in the United Nations system, and will seek to build collaborative processes with Governments, civil society groups and all concerned actors to address the knowledge gap.

74. Closely linked to a more active research programme is policy development. Putting forth suggestions to address human rights problems requires a careful consideration of the legal and policy issues involved. Consistency of approach and rigour in analysis will be essential for credibility, and to this end OHCHR requires a central policy approval function to ensure consistency and quality in positions advanced, which will be allocated to a new Policy and Planning Unit.

C. Leadership

75. In today's world, numerous social, economic and political issues are decided through international processes but have profound consequences for human rights locally. Though engagement with countries is key, OHCHR must also be active at the global level, shaping and contributing to the international debate on issues relevant to the protection of human rights. OHCHR must be especially active in the United Nations system and meet the challenge of fully integrating human rights issues into the core of the United Nations agendas for development and security. For this reason also, OHCHR must build its thematic expertise, and step up work on specific human rights issues.

1. Human rights, development and the Millennium Development Goals

76. The United Nations Millennium Declaration opens with an affirmation that freedom and equality are fundamental values essential to international relations in the twenty-first century. It pledges Member States to respect, protect and promote all human rights for all people, to defend the vulnerable and to strengthen the rule of law. In affirming the right to development, the Declaration recognizes that States have both an individual and a collective responsibility to uphold the principles of human dignity, equality and equity at the national and the global levels. The Millennium Development Goals require rich countries to assist poor countries in meeting mutually agreed targets for poverty reduction, and all States pledged themselves to respect human rights in pursuing these targets. Properly understood, the Millennium Development Goals are themselves human rights aspirations.

77. In order to help turn these pledges into reality, OHCHR will considerably enhance its work in this area by establishing a unit dedicated to working on the Goals. We will seek to engage in global discussions to ensure that due attention is paid to human rights, both in the process and in the outcomes of the implementation of the Goals. We will focus on promoting rights-sensitive poverty reduction strategies and the application of rights-based approaches to development, and advancing the right to development. In so doing, we will emphasize the free, active and meaningful participation of rights holders, the accountability of duty bearers, non-discrimination at all levels and the political and economic empowerment of those that development seeks to lift out of poverty. In addition, we will use the human rights framework to buttress and solidify pledges made by the richer countries.

2. Protecting economic, social and cultural rights

78. Despite repeated pledges as to the indivisibility of human rights and the need for the United Nations to pay due attention to all human rights, economic, social and cultural rights are still questioned by some, including regarding their justiciability — as seen in the discussions to create a procedure for hearing individual complaints of violations of the rights spelled out in the International Covenant on Economic, Social and Cultural Rights. These rights still enjoy a lesser status in law in most countries. Some believe that the principle of progressive realization of these rights creates special difficulties regarding accountability. The Committee on Economic, Social and Cultural Rights and many of the special procedures have addressed the legal issues involved and, over the past few years, have added much to our understanding of the scope and content of economic, social

and cultural rights. Much work remains to be done, however, including in convincing often sceptical publics and Governments that human rights truly are interdependent and indivisible.

3. Human rights, peacebuilding and peacekeeping

79. In his above-mentioned report, the Secretary-General drew attention to the role of OHCHR in conflict prevention efforts and in deploying human rights officers to crisis situations, and called on the High Commissioner to play a more active role in the deliberations of the Security Council and the proposed Peacebuilding Commission.

80. In regard to human rights crises, as noted above, OHCHR stands ready to deploy human rights officers through its own stand-alone offices and to conduct fact-finding and investigation missions. Also, we will continue to work with the humanitarian community to integrate human rights into their work and programmes. Where United Nations peace operations are deployed, greater effort is needed to ensure that all their components, especially civilian police and military, contribute through their action to the advancement of human rights.

81. Concerning conflict prevention, much of the existing United Nations human rights information could be used more extensively in United Nations preventive diplomacy. Information alone will be insufficient, however. The task is to ensure that it is analysed and brought to the attention of those with a responsibility to act. One clear implication of greater OHCHR country engagement is that the Office will be much better equipped to anticipate looming human rights crises and to highlight the human rights implications of unfolding crises.

82. OHCHR needs to increase its capacity to contribute expert legal and policy input on human rights matters to conflict resolution efforts. Increasingly, OHCHR is called upon to assist countries emerging from conflict and periods of widespread abuse, including through procedures to uncover the truth about what happened, to investigate and verify massive human rights violations, to vet public officials and to reform and rehabilitate the justice system. To these ends, OHCHR will increase efforts with a host of partners, pursuing complementary action within peace missions, United Nations country teams and United Nations Headquarters-based policy and coordination bodies. Addressing impunity and the crimes of the past figure prominently, but there are many other human rights issues that need to be considered in order to build a sustainable peace. In addition, an expanded OHCHR field presence may itself help to create conflict resolution opportunities since engagements with belligerents on human rights issues create space for discussion of political issues.

83. In these areas, there is a clear need for OHCHR to expand its capacity, including especially in its New York Office, so as to ensure that it provides an effective input into both country and thematic issues.

4. Strengthening the rule of law

84. The rule of law has long been a principal focus of OHCHR. Based on international human rights, humanitarian and criminal law standards, a set of justice sector tools and manuals has been developed by OHCHR and used in many

countries. We must increase efforts to assist countries in adopting laws and building the institutions necessary to give effect to international standards.

85. The work of OHCHR in this area draws on its expertise concerning international human rights law, based on its experience and close and unique relationship to the bodies established by treaty to oversee the application of that law, and to the special procedures. This international legal expertise is diffusely spread throughout OHCHR, however, and the time has come to consolidate it and provide it with greater resources. Doing so would allow the coordination of in-house legal expertise and ensure the provision of expert advice, within and outside the United Nations, on the compliance of national law and practice with international human rights obligations — an expertise that is likely to be in greater demand with an enhanced country engagement. The establishment of a central function along these lines would also allow OHCHR to be more proactive in defending international human rights standards when their scope and applicability is challenged, and suggesting future directions for and advice on their development.

5. A global human rights report

86. OHCHR will research and publish on an annual basis a thematic *Global Human Rights Report*. This will be an important policy and advocacy tool, through which we will be able to identify, analyse and build support for priority human rights issues, point to both positive and negative trends affecting human rights and highlight successful policies. It will be a vehicle for promoting human rights, spearheading new thinking and approaches and bringing to light diverse efforts to achieve human rights. Such a report will provide an authoritative source of information regarding human rights trends in selected thematic areas.

87. Experience in other United Nations agencies shows that global reports are useful but also require a significant investment of resources. Collaboration with others, including academic and research centres worldwide, will enhance the value of such a report.

6. Outreach and communication

88. OHCHR will not be successful in pursuing its goals and strategies unless it is able to communicate them effectively. As OHCHR concentrates on implementation — when the emphasis is on improving people's enjoyment of human rights — there is a need for a much more vigorous communications strategy. Such a strategy will be essential to improve overall knowledge of human rights and to create support for the work of the United Nations and OHCHR in this area. It will also allow OHCHR to engage more effectively in building public support for human rights principles. This will require a more proactive engagement with the media, and more accessible and targeted dissemination through printed and web-based media.

D. Working with United Nations human rights bodies

89. The High Commissioner is explicitly required to propose ways of overcoming obstacles to the effective enjoyment of human rights and to suggest ways of improving and making coherent the functioning of the United Nations human rights machinery. In order to fulfil these tasks, she needs to take a more proactive and engaged role with the United Nations human rights bodies. Strengthening these

bodies and working more closely together with them will ensure a more effective overall effort to address implementation gaps.

1. Commission on Human Rights

90. The Secretary-General has proposed the replacement of the Commission on Human Rights by an upgraded Human Rights Council. As this is under active discussion, the High Commissioner wishes to use this opportunity to set out a few points.

91. It is essential that a new body find effective means to carry out its supervisory responsibilities, which will necessarily entail some system for measuring States' human rights obligations against their actual practice. The present system for country scrutiny in the Commission is, all agree, unsatisfactory. At the same time, there must be some system in place for considering the actual human rights situation in countries.

92. For this reason, I strongly support the proposal that country scrutiny be exercised through a system of peer review, whether in a new Human Rights Council or a reformed Commission on Human Rights. This system should be built on the principle of universal scrutiny, whereby all States submit to a review of law and practice concerning their human rights obligations. For such a system to be credible and gain the confidence of all, it will be essential that a fair and transparent method be developed to compile information upon which to base the peer review. As the Secretary-General has emphasized, a new Human Rights Council should also continue the practice of the Commission regarding access for non-governmental organizations and preserve the independent role of the special procedures.

93. It is difficult for OHCHR to speculate in detail how the creation of a Human Rights Council would impact on our work since so many of the details concerning the scope, power and composition of the body are still under discussion. Certainly, a standing body that would be able to meet regularly throughout the year, although a welcome development, would also place new demands on OHCHR and we would need the capacity to respond. The precise details of the peer review will need to be worked out, and in particular it will be important to distinguish a system of peer review by other States from reporting to expert treaty bodies.

94. With respect to either a new Human Rights Council or the Commission on Human Rights, OHCHR intends to step up its efforts to play a more active role, in a spirit of partnership, in identifying means of strengthening efforts to protect human rights.

2. Treaty bodies

95. The United Nations human rights treaty system is one of the Organization's great achievements. The treaty bodies were set up to monitor progress in implementation and provide authoritative guidance on the meaning of treaty provisions and the measures needed to protect rights at the national level. Their work has had a direct impact, leading to changes in national law and policy and bringing redress for individual victims. All States are parties to at least one of the seven treaties, and more than 75 per cent of States are parties to four or more, including the two covenants. The reporting process should be seen as a means for States to assess achievements and identify implementation gaps. Ideally, this process

informs national debates on human rights issues and creates new constituencies in support of human rights. This is, indeed, its raison d'être.

96. The problems with the current system are well documented and there is a large degree of consensus on the basic defects. States find it onerous to report separately to different treaty bodies, often on very similar or overlapping issues (though agreement on an expanded core document would reduce this burden). Reports are delayed or, when submitted, are often inadequate and there is insufficient time to consider them. The concluding observations adopted by the treaty bodies often lack the precision needed to guide reform efforts and are too often given insufficient attention by States.

97. Analytical and organizational support is crucial. Since 1996, significant new resources, raised outside the regular budget, have been devoted to staffing the branch dealing with the treaty bodies. At the same time, compared with other international monitoring procedures, the human rights treaties operate on a shoestring.

98. A considerably enhanced programme of country engagement will assist in ensuring that the treaty body review process is better supported and is more relevant to processes of human rights reform at the national level. Geographic desks and staff deployed in the field can work with Governments and other stakeholders to engage in the reporting process and follow up the recommendations made by treaty bodies and decisions on individual complaints.

99. Enhanced country engagement, however, will not address all the other problems identified. Inefficiencies in the system will worsen if, as is hoped, universal ratification is achieved. Since the Secretary-General's call in 2002 for harmonized reporting requirements and the possibility of submitting a single report, treaty bodies have begun drafting harmonized guidelines on reporting. These should be finalized and implemented so that the treaty bodies can begin to function as a unified system. In the long term, however, it seems clear that some means must be found to consolidate the work of the seven treaty bodies and to create a unified standing treaty body. This is a matter for States parties, but the High Commissioner intends to submit options of treaty body reform for consideration at an intergovernmental meeting to be held in 2006.

100. A unified treaty body system would only be possible if all committees were able to function in partnership, which presupposes that they are supported in their various mandates by the same office, ensuring a holistic approach as well as jurisprudential coherence. The Committee on the Elimination of Discrimination against Women, the treaty body monitoring the Convention on the Elimination of All Forms of Discrimination against Women, is the only human rights treaty not supported by OHCHR. The Committee is supported by the Division for the Advancement of Women. It would seem an opportune moment to consider transferring responsibility for supporting the Committee to OHCHR.

3. Special procedures

101. The various rapporteurs, working groups and experts appointed by the Commission on Human Rights are an essential element of the efforts undertaken by the United Nations to protect human rights. Their strength includes their independence, concerted focus on an issue or situation, ability to engage directly

through country visits, ongoing accessibility to victims and advocacy role in identifying implementation gaps.

102. At the same time, increasing politicization in the Commission affects the special procedures. Acrimonious debates often precede the establishment or renewal of mandates, undermining the credibility of the procedure. Coordinating the work of the rapporteurs becomes more difficult as the number of mandates rises — quite rapidly in recent years. The mandate holders and their working methods are increasingly criticized by Member States, often for contradictory reasons.

103. The more than 100 reports submitted by the special procedures to the Commission at its sixtieth session, in 2004, included reports on human rights developments in 39 countries, prepared on the basis of visits conducted by mandate holders assisted by OHCHR staff. The same year, more than 1,300 communications were sent to 142 Governments, addressing 4,448 individual cases. There is very little follow-up, however, to these reports and communications, and the rapporteurs themselves (who serve in a volunteer, part-time capacity) are not in a position to follow up, especially concerning individual cases.

104. Strengthened geographic desks and a focus on country engagement should allow OHCHR to give greater support to the special procedures, including when they seek follow-up concerning their recommendations or individual cases. One important aspect of support will be to ensure that country visits are adequately prepared. Since 2000, significant new resources, raised outside the regular budget, have been devoted to giving increased support to the special procedures, but it is still inadequate.

105. This will not address, however, some of the underlying problems, in particular related to coordination, overlapping mandates and the increase in the number of procedures (currently more than 40) without a corresponding increase in the capacity of OHCHR to support them or the capacity of the Commission to consider their recommendations in a meaningful way. The Commission has requested OHCHR to hold two specific meetings in 2005 to consider reform and rationalization proposals. The High Commissioner believes this offers an excellent opportunity to address some of these problems.

E. Working with United Nations agencies and civil society

106. The community of those interested in human rights is growing rapidly, including activists, scholars, a diverse range of civil society representatives, professional associations and members of parliament. At the international level, there is growing interest in human rights principles in development agencies, international think tanks and, through mainstreaming, in all areas of the United Nations system. OHCHR must increase its outreach activities and partnerships at both the national and international levels. The overall goal must be to build global reform alliances that combine learning, activism and practice to overcome implementation gaps.

1. Working with United Nations partners

107. OHCHR is committed to implementing the reforms launched in 2002 to build strong human rights protection systems at the national level. The action 2

programme aims at building the capacity of United Nations country teams to support Member States in developing such systems. It focuses on strengthening the rule of law through institutional capacity-building and assistance in reforming national legislation; enhancing the realization of the rights of vulnerable and marginalized groups; ratification of human rights treaties and cooperation with treaty bodies and special procedures mechanisms; and developing a culture of human rights, including through human rights education. It also aims to integrate human rights into United Nations development and humanitarian activities.

108. As part of the action 2 programme, OHCHR is called on to support country teams with advice and training. Experience to date has shown that OHCHR advice and support to country teams is most effective when OHCHR is present in the country and can enter into direct cooperation. OHCHR believes, therefore, that its strategy to enhance country engagement and step up field and subregional presences will better equip OHCHR to offer support to United Nations country teams. At the same time, strong commitment from the United Nations country teams leadership and support from the team are crucial for the success of action 2.

109. As action 2 moves into the implementation phase, human rights advisers to country teams will assume a greater role, backed by substantive guidance and support provided by OHCHR. In addition, OHCHR will further strengthen its capacity to provide training and develop learning packages in cooperation with our agency partners, bearing in mind the need for follow-up support.

2. Engaging civil society

110. A strong civil society able to operate freely and that is adequately knowledgeable and skilled with regard to human rights is a key element for securing sustainable human rights protection at the national level. OHCHR has been actively engaged with civil society for many years. It needs to strengthen this engagement and ensure it is comprehensive, proactive and strategic in order to best utilize and empower civil society in efforts to implement human rights. This would be fully in line with the recommendations made in the report of the Panel of Eminent Persons on United Nations-Civil Society relations (see A/58/817) that civil society be more meaningfully engaged in the work of the United Nations.

111. The Organization's own human rights efforts must be seen in the context of a much larger civil society movement. OHCHR can benefit from the support, analysis and expertise of civil society and in turn may provide support, education and advice on approaches to United Nations bodies. Importantly, we can work to create conditions for the empowerment of civil society.

112. We will step up our efforts to provide direct protection for civil society groups in peril and those facing threats on account of their peaceful and lawful defence of human rights, both through strategic use of field presence and through interventions at the international level. This should include focused attention on strengthening legal protection for civil society actors at the national level. The good offices function of the High Commissioner can also provide important support for these groups. In addition, the United Nations has a unique bridge-building ability to bring together civil society and Governments, creating opportunities for building trust.

113. We will create a specific senior civil society support function to ensure leadership on this issue in OHCHR.

114. OHCHR must also draw on the considerable and increasing academic interest in human rights issues, as well as practical policy work being done by NGOs and governmental institutes. Indeed, both empirical and conceptual research that is being undertaken can greatly assist in addressing implementation gaps, and we must draw on this outside expertise.

IV. Building OHCHR capacity

115. The challenges faced by OHCHR in making human rights protection a reality and the actions proposed by the High Commissioner in order for OHCHR to play its part in meeting those challenges were described above. These will require, as noted at the outset, strengthening the management and planning capacity of the Office, improving human resource policies and a substantial increase in financial resources.

A. Management, administration and planning

116. OHCHR is currently in the process of strengthening its management capacity, as elaborated in the budget proposals that I have recently made for the biennium 2006-2007. These will have to be further reviewed and strengthened if we are to deliver on the plans and commitments outlined in the present plan of action. We will need to improve our capacity to prioritize, plan and implement our work better in order to ensure effective delivery and greater accountability.

117. As a first step, we are creating a dedicated centrally placed policy, planning, monitoring and evaluation unit, which, working together with other parts of the house, will help to ensure that the strategic vision of OHCHR is translated into concrete priorities and operational plans. The unit will do so by drawing on existing expertise in the Office, promoting horizontal and vertical linkages, analysing trends in our operating environment and more effectively monitoring results.

118. In order to enhance its capacity to support the human rights programme and to facilitate rapid deployment, OHCHR will require greater operational flexibility through a series of measures, including broader delegation of authority in financial and administrative matters. Its current authority, limited to initiating administrative actions, should gradually evolve towards an authority to approve and implement all such actions, applying the same procedures which have been successfully used by other United Nations departments and offices. As a first step, the following delegation of authority will be sought: establishment of an account to be accessed for emergency response purposes; acceptance of contributions; approval of allotments and temporary posts (against extrabudgetary contributions); authority for recruitment and administration of staff; emergency travel; and procurement. At the same time, new administrative policies will be developed to respond to the expanded operational needs of OHCHR, along the lines of those established by operational United Nations funds and programmes.

B. Staffing

119. OHCHR will need to make substantial changes in its staffing and personnel situation if the goals of the present plan of action are to be met. There are three main

areas that need to be improved. Currently, some 86 per cent of staff is at a relatively junior level, providing the Office with good technical expertise but insufficient experience and management capacity. Also, most staff is on short-term contracts, creating instability and negatively affecting staff morale. The High Commissioner has already made some proposals in the biennium budget proposals to address this situation. Further steps will need to be taken to strengthen management capacity. The post regularization exercise currently under way should also help to bring greater stability to the staffing situation. In addition to capitalizing on the human rights expertise, the quality and the commitment of OHCHR staff, it is equally important to ensure attention to the principles of gender balance and the widest geographic distribution when meeting growing human resource demands.

120. Achieving geographical balance in OHCHR will remain one of the priorities of the High Commissioner. While the primary consideration in the selection of staff is the need to secure the highest standards of competence, integrity and efficiency, OHCHR will also pay due regard to recruiting and selecting individuals on as wide a geographical basis as possible. In an effort to widen the pool of qualified human rights candidates, it will continue to work with the Office of Human Resources Management to organize specialized competitive human rights examinations, and successful candidates from underrepresented countries will be carefully considered.

121. Human rights staff is required to carry out a wide variety of tasks, interact with very diverse partners and interlocutors and address an extensive range of substantive issues. To ensure that they work professionally, meeting current and future human rights challenges, they should have access to systematic and comprehensive training that matches the evolving requirements of human rights work. This should include induction training for new staff; predeployment and in-mission training for field staff; and in-service training to ensure upgrading of skills, and briefings on emerging human rights issues and methodology.

122. Finally, numerous evaluations and studies have pointed to the need for OHCHR to ensure better linkages between its field presences and Headquarters, and in this regard a policy to encourage staff rotation has been under discussion for some time. Such a policy would increase the pool of specialized human rights staff willing and available for field deployment and raise the overall proportion of human rights staff with field experience. Enhancing field presence, as suggested in the present plan of action, should proceed with such a policy in place.

C. New York presence

123. The location of OHCHR, away from Headquarters, presents certain obstacles to ensuring human rights issues are at the core of the Organization's work. Most core United Nations departments and agencies are headquartered in New York, and the Executive Committees and their sub-bodies convene in New York, as does the Security Council, the General Assembly and its committees and the Economic and Social Council. Further, most of the United Nations policy discussions on matters of peace, security and development take place in New York. The New York Office of OHCHR is actively engaged in these discussions, but its staffing has remained constant for some time while demands have continued to grow. The current round of reforms will again significantly expand the Office's New York-based work, bringing a heightened profile for human rights in the United Nations system, an expediting of

the human rights mainstreaming imperative and, as seems likely, a Peacebuilding Commission and its support office. Meeting those demands will require that OHCHR in New York be equipped with a higher proportion of human and financial resources.

D. Financing

124. If the promotion and protection of human rights are to be at the core of the work of the United Nations, there must be a commitment to the providing of resources that are commensurate to the task. There is much that OHCHR can do in the immediate term to advance the objectives outlined in the present plan of action and it intends to take those steps, looking at how best it can utilize existing resources.

125. Ultimately, however, the present plan of action will remain largely aspirational without a significant increase in resources, including a greater proportion of the regular budget and additional extrabudgetary support. While the budgeting process for the 2006-2007 biennium is already advancing, we will develop, in consultation with the Secretary-General, a supplementary budget reflecting an estimated costing of the regular budget requirements of the plan, and will follow that with an appeal for voluntary funding to support those elements appropriate for extrabudgetary resources. In so doing, OHCHR will seek to increase the proportion of its resources that come from the regular budget and will proceed incrementally, in accordance with an appropriate implementation plan.

126. At present, the human rights programme receives only 1.8 per cent of the United Nations budget. The bulk of OHCHR resources, including for key activity requested by United Nations bodies, are therefore in the form of extrabudgetary contributions. The total annual budget of OHCHR is $86.4 million. OHCHR estimates that in order to address the shortcomings identified in the above-mentioned Secretary-General's report and make a serious effort to step up the work of the Office along the lines suggested in the present plan, it will need to double its overall resources over the next five to six years.

V. Action points

A. Country engagement

127. Engagement and dialogue with countries will be the primary means through which OHCHR works to ensure the implementation of human rights. In particular:

- Geographic desks at headquarters will be strengthened through a substantial increase in staffing levels
- OHCHR will increasingly deploy staff in the field in country, regional and subregional offices, as required and on the basis of an analysis of deployment options now under way
- A rapid response capacity to deploy human rights officers at short notice will be developed, including identification, predeployment training, and rostering

- OHCHR will enhance its expertise to provide legal and technical advice and support for fact-finding missions and commissions of inquiry
- OHCHR is reviewing its support for human rights components in United Nations peace operations with a view to making it more effective and increasing its capacity to provide advice and training to their civilian police and military components.

128. The OHCHR technical cooperation programme will be strengthened and focused and implemented on the basis of a clear strategy agreed with the Government, OHCHR presence in the country and long-term engagement, and the participation of civil society.

129. All country engagement work will include dedicated attention to economic, social and cultural rights. OHCHR will increase work to protect these rights through law and we will consolidate an expert resource capacity on their legal aspects in OHCHR.

130. OHCHR will consolidate and further develop thematic human rights expertise, ensure its integration with OHCHR country work and periodically review priorities. On the basis of an inventory of all existing mandated studies and reports to United Nations bodies, we will make suggestions on rationalization to release research capacity.

131. The work of the treaty bodies and special procedures will be fully integrated into OHCHR dialogue and engagement with countries.

132. OHCHR will create a unit to lead on legal advocacy and advice on international human rights law, including on compliance and law reform at the national level.

133. OHCHR will allocate appropriate resources to meet the increasing demand for its rule-of-law work, including for support for system-wide rule-of-law and justice initiatives.

B. Leadership

134. The High Commissioner will proactively propose solutions to human rights problems and promote initiatives for better coordination within the United Nations system, including by convening at the principal level system-wide consultations, twice-yearly, to coordinate and make recommendations to the United Nations system.

135. The High Commissioner will strengthen her engagement with concerned organs and bodies of the United Nations in the areas of both development and security in order, to provide them with timely human rights information.

136. OHCHR will establish a unit to work on the Millennium Development Goals and rights-based approaches, in particular to advise on and assess progress regarding human rights commitments included in the Goals.

137. OHCHR will build a stronger communications capacity in order to develop effective strategies for the dissemination of human rights information and the work of the United Nation's human rights programme.

138. The High Commissioner will undertake public advocacy to emphasize the importance and legal status of economic, social and cultural rights.

139. The High Commissioner will publish, on an annual basis, a thematic *Global Human Rights Report*.

140. The High Commissioner will launch a Global Campaign for Human Rights, mobilizing support from Governments, United Nations partners, civil society and the general public to reaffirm commitment to basic human rights principles, including a call for universal ratification of all human rights treaties and the withdrawal of reservations.

141. OHCHR will establish a central policy development function to ensure consistency and quality in positions advanced.

C. Partnership

142. OHCHR will increase its work with United Nations partner agencies engaged in implementing action 2, giving priority attention to increasing training capacity, through additional resources, and deployment of human rights advisers to United Nations country teams, taking into account human rights priorities.

143. OHCHR will work with its United Nations partners to ensure that resident coordinators have adequate human rights competencies and that all agencies and the United Nations country teams leadership, in particular, meet their responsibility to mainstream human rights.

144. OHCHR will build stronger collaborations with civil society and work together with them to contribute to long-term human rights achievements. We will prioritize the strengthening of civil society in designing OHCHR strategies and work to protect freedom of association. A senior civil society function will be created in OHCHR and tasked with providing leadership on this issue. The High Commissioner will strengthen work on human rights defenders.

D. United Nations human rights bodies

145. The treaty bodies and special procedures are vital to the efforts to better implement human rights obligations at the national level. They must be better supported and made more effective.

146. OHCHR will allocate additional resources to strengthen national capacity and partnerships to engage in the treaty implementation and monitoring process.

147. The High Commissioner will develop proposals for a unified standing treaty body and invite States parties to the seven human rights treaties to an intergovernmental meeting in 2006 to consider options.

148. Consideration should be given to relocating the Committee on the Elimination of Discrimination against Women to Geneva, to be supported by OHCHR.

149. OHCHR will increase support to special procedures to ensure an adequate level of servicing and stronger coordination, both with OHCHR and between mandate-holders.

150. OHCHR will make suggestions at the special meetings scheduled in 2005 to improve the effectiveness and efficiency of the special procedures.

E. Management, staffing and planning

151. OHCHR is establishing a dedicated centrally placed policy, planning, monitoring and evaluation unit, which will ensure that the strategic vision of OHCHR is translated into concrete priorities and operational plans.

152. OHCHR will strengthen its administrative capacity and seek greater delegation of authority to support a more efficient and effective Office.

153. OHCHR will allocate more resources and staffing to our New York office, beginning with the early deployment of more staff charged with responsibility for work in the areas of rule of law, mainstreaming, the Millennium Development Goals, action 2, and peace and security. A feasibility study to determine whether other OHCHR functions and personnel might better be located in New York will be undertaken.

154. OHCHR will initiate, together with OHRM, a comprehensive review of human resource policies with a view to developing recruitment and staff administration procedures that respond to the operational needs of OHCHR and enhancing diversity, competence, management capacity and accountability.

155. OHCHR will institute measures to screen candidates to ensure that, between equally qualified candidates, priority is given to achieving greater geographic distribution.

156. OHCHR will engage with donor countries to encourage them to sponsor Junior Professional Officers from developing countries.

157. OHCHR will develop and systematically implement training programmes for both international and national OHCHR staff. It will do so by drawing on its own expertise, as well as on relevant expertise and programmes available within and outside the United Nations system.

158. OHCHR will develop, together with OHRM, a staff rotation plan, building on best practices identified by human resources specialists.